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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/041,570	01/10/2002	Andrew Myers	23452-149	5211
29315	7590	12/16/2004		
MINTZ LEVIN COHN FERRIS GLOVSKY AND POPEO PC 12010 SUNSET HILLS ROAD SUITE 900 RESTON, VA 20190			EXAMINER NGUYEN, VAN H	
			ART UNIT 2126	PAPER NUMBER

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/041,570

Applicant(s)

MYERS, ANDREW

Examiner

VAN H NGUYEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 January 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is in response to the application filed on January 10th, 2002.
2. Claims 1-24 are currently presented in this application. Claims 1, 7, 13, and 19 are independent claims.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- A. The following terms lack antecedent basis:

- (i) "the event" (in claim 1, line 4; claim 7, line 4; claim 13, lines 4-5; and claim 19, line 6) and
- (ii) "the event type" (in claim 2, lines 1-2; claim 8, lines 1-2; claim 14, lines 1-2; and claim 20, line 2)

- B. Dependent claims 2-6, 8-12, 14-18, and 20-24 are rejected for fully incorporating the deficiencies of their base claim.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-3, 6, 7-9, 12-15, 18-21, and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by **Szymanski et al.** (US 5,566,337).

7. **As to claim 1:**

Szymanski teaches the invention as claimed including a system for providing notification of events in a unified communications services network (*e.g., a system is provided for distributing information about events; col.2, lines 32-33*) the system comprising:

- (i) an event filter (*e.g., filtering event; col.4, lines 50-51 and col.12, lines 8-9*) in communication with an event generating process (*e.g., at least one event producer...generating an event; col.2, lines 29-30, 45-46, and col.7, lines 1-2*), wherein the event filter performs a first level filtering of notification of the event generated (*e.g., specifying a set of events of which an event consumer is to be informed; col.2, lines 64-67*);

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- (ii) an event manager that receives the notification of the event from the event filter, and disperses the event (*e.g., an event manager... receiving the event... distributing an appropriate event to an appropriate event consumer; see the abstract; col.2, lines 52-56; and col.17, lines 20-25*); and
- (iii) a notification handler that receives the notification of the event (*e.g., event consumers receive the event from the event manager control unit; col.17, lines 20-25, 58-61 and figs. 9A and 9B*) and disposes of the event (*e.g., a DisposeBroadcastConsumer call; col.12, line 32/each sequential consumer can...declare that the event has been handled; col.17, lines 61-64*).

8. **As to claim 2:**

Szymanski teaches the first level filtering is performed based on the event type (*e.g., event kind; fig.7/an event identifier which indicates the kind of event; col.4, lines 2-4*).

9. **As to claim 3:**

Szymanski teaches the first level filtering is performed based on a priority level for the event (*e.g., event priority; col.7, lines 30-34*).

10. **As to claim 6:**

Szymanski teaches the notification handler performs a second level filtering of notification of the event (*e.g., broadcast consumers and sequential consumers; col.11, line 61- col.12, line 7*).

11 **As to claims 7-9 and 12:**

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Note the rejection of claims 1-3 and 6 above. Claims 7-9 and 12 are the same as claims 1-3 and 6, except claims 7-9 and 12 are method claims and claims 1-3 and 6 are system claims.

12. **As to claims 13-15 and 18:**

They are include the same limitations as claims 1-3 and 6 above, and are similarly rejected under the same rationale.

13. **As to claims 19-21 and 24:**

Note the rejection of claims 1-3 and 6 above. Claims 19-21 and 24 are the same as claims 1-3 and 6, except claims 19-21 and 24 are processor readable medium claims and claims 1-3 and 6 are system claims.

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in sec. 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claims 4, 10, 16, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Szymanski et al.** in view of **Johnson et al.** (U.S. 5,925,108).

16. **As to claim 4:**

- a. Szymanski teaches a plurality of event generating processes (*e.g., event producers 300; fig.2*) and a plurality of notification handlers (*e.g., consumers 310 and 360; fig.2*). Additionally, Szymanski teaches registering of the plurality of notification handlers with the event manager (*e.g., broadcast consumers...register with event manager 800; fig. 11*).
- b. Szymanski, however, does not specifically teach a registration manager that manages the registration of the plurality of notification handlers, and provides awareness of registered notification handlers to at least one of the plurality of event generating processes.
- c. Johnson teaches a registration manager that manages the registration of the plurality of notification handlers (*e.g., registering at least one event consumer with a registry capable of holding multiple registrations; col.5, lines 63-65*), and provides awareness of registered notification handlers to at least one of the plurality of event generating processes (*e.g., registration produces a record containing at least an identifier for the producer and the type of event it produces; col.6, lines 22-30*).
- d. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Johnson and Szymanski because Johnson's teaching would have provided the capability for allowing an event notification to be sent to multiple destinations according to a predefined order and

allowing event handler code to be located in the source modules affiliated with the respective tasks to be accomplished.

17. **As to claim 10:**

Note the rejection of claim 4 above. Claim 10 is the same as claim 4, except claim 10 is a method claim and claim 4 is a system claim.

18. **As to claim 16:**

It includes the same limitations as claim 4 above, and is similarly rejected under the same rationale.

19. **As to claim 22:**

Note the rejection of claim 4 above. Claim 22 is the same as claim 4, except claim 22 is a processor readable medium claim and claim 4 is a system claim.

20. Claim 5, 11, 17, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Szymanski et al.** in view of **Johnson et al.** as applied to claim 1 and 4 above and further in view of **Woodring et al.** (U.S. 6,519,686).

21. **As to claim 5:**

- a. Johnson teaches the registration manager maintains a list (*e.g., a record; col.5, line 66*) of currently registered notification handlers (*e.g., event consumers; col.5, lines 66-67*) and wherein the plurality of event generating processes may query the list of currently registered notification handlers (*e.g., registration...generally*

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creates a record of which event consumers to notify in response to which events; col.5, lines 66-67).

- b. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Johnson and Szymanski because Johnson's teaching would have provided the capability for allowing the producers to notify and forward an event to an appropriate consumer.
- d. The combination of Szymanski and Johnson does not specifically teach the use of a shared memory.
- e. Woodring teaches the use of a shared memory (e.g., *a shared memory is provided between the producer and at least one of N consumers; see the abstract*).
- f. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Woodring and Szymanski as modified by Johnson because Woodring's shared memory mechanism would have provided the capability for saving a significant amount of memory. In addition, the processor cycles are not wasted in copy operations resulting in significant saving in processor cycles and processing time.

22 As to claim 11:

Note the rejection of claim 5 above. Claim 11 is the same as claim 5, except claim 11 is a method claim and claim 5 is a system claim.

23 As to claim 16:

It includes the same limitations as claim 5 above, and is similarly rejected under the same rationale.

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24. **As to claim 23:**

Note the rejection of claim 5 above. Claim 23 is the same as claim 5, except claim 23 is a processor readable medium claim and claim 5 is a system claim.

Conclusion

25. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- (i) Pohlmann et al. (U.S. 6446136) teaches "System and method for dynamic correlation of events."
- (ii) Pohlmann et al. (U.S. 6366926) teaches "Method and apparatus for the dynamic filtering and routing of events."
- (iii) Jacklin et al. (U.S. 5838969) teaches "System and method for collecting and dispatching selected events in a computer application program "
- (iv) Starkey (U.S. 5592664) teaches "Database server system with methods for alerting clients of occurrence of database server events of interest to the clients."
- (v) Tse et al. (US 20030105801) teaches "Method, system and agent for connecting event consumers to event producers in a distributed event management system."
- (vi) Sanghvi et al. (US 20020019886) teaches "Event consumers for an event management system ."
- (vii) Malowidzki "Advanced event filtering approach for CORBA-based management systems" 2000 IEEE, pp. 47-58.

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(viii) Al-Shaer "Event filtering framework: key criteria and design trade-offs " 1997
IEEE, pp. 88-93.

26. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VAN H. NGUYEN whose telephone number is (571) 272-3765. The examiner can normally be reached on Monday-Thursday from 8:30AM - 6:00PM. The examiner can also be reached on alternative Friday.
27. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756.
28. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.
29. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

Commissioner for patents

P O Box 1450

Alexandria, VA 22313-1450

12/10/04



Van H. Nguyen